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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/664,300	09/18/2000	Stephane Herman Maes	YO999-380	3906

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EXAMINER	
WINDER, PATRICE L	

ART UNIT	PAPER NUMBER
2145	

DATE MAILED: 12/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/664,300	MAES ET AL.	
	Examiner	Art Unit	
	Patrice Winder	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 September 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12,28,30-32,45,48 and 50* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12,28,30-32,45,48 and 50* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of Group I in the reply filed on September 22, 2005 is acknowledged. The traversal is on the ground(s) that the claims recite similar limitations. This is not found persuasive because none of elected claims included "markup language based content". The PTO classifies processing of types of content separately, i.e. speech in class 379 and markup language in class 715. However, this discussion is moot because the claims in question are cancelled.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 3-4 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Applicant does not provide enablement for an information signal represents speech and performing content detection on the information signal to detect content in accordance with the at least one modality; wherein the at least one modality in which the content is video based. The specification does not provide an embodiment that obtains an

information signal represents speed and detects content in accordance a video modality. How is video content detected in a speech information signal?

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-2, 5-12, 28, 45 and 48 are rejected under 35 U.S.C. 102(b) as being anticipated by Rochkind, USPN 5,848,130 (hereafter referred to as Rochkind).

6. Regarding claim 1, Rochkind taught a method of processing an information signal containing content presented in accordance with at least one modality (abstract), the method comprising the steps of:

obtaining the information signal, wherein the information signal represents speech obtained in accordance with one of a voice message system and a real-time phone conversion (column 3, lines 55-63);

performing content detection on the information signal to detect whether the information signal includes particular content presented in accordance with the at least one modality (column 3, lines 64-67; column 4, lines 1-6); and

automatically generating a control signal, as a direction result of detection of the particular content without a need for selective input by a user contemporaneous with the detection of the content, for use in automatically controlling at least one of a rendering

property of the particular content and automatic implementation of a specific action relating to the particular detected content (column 4, lines 32-45).

7. Regarding dependent claim 2, Rochkind taught the at least one modality in which the content in the information signal is presented is audio-based (column 3, lines 7-21).

8. Regarding dependent claim 5, Rochkind taught the controlled rendering property is a presentation speed of the particular content (column 5, lines 12-25).

9. Regarding dependent claim 6, Rochkind taught the presentation speed is controlled in accordance with detection of specific content classes in the information signal (column 3, lines 64-67; column 4, lines 1-6).

10. Regarding dependent claim 7, Rochkind taught a specific content class comprises one of numbers, names, and addresses (column 3, lines 64-67; column 4, lines 1-6).

11. Regarding dependent claim 8, Rochkind taught the presentation speed of the particular content is at least one of slowed down and sped up (column 5, lines 12-25).

12. Regarding dependent claim 9, Rochkind taught the presentation speed of the particular content is slowed down from an initial sped-up presentation speed (column 5, lines 12-25).

13. Regarding dependent claim 10, Rochkind taught further comprising the step of providing a user interface for a user to control at least one of the rendering property of the particular content and the implementation of the specific action relating to the particular content (column 5, lines 44-53).

14. Regarding dependent claim 11, Rochkind taught further comprising the step of marking at least a portion of the information signal in response to a user input (column 5, lines 12-13) such that the content detection step is performed on the marked portion of the information signal to detect whether the marked portion of the information signal includes particular content (column 6, lines 17-33).

15. Regarding dependent claim 12, Rochkind taught further comprising the step of storing the particular content when detected in the information signal (column 4, lines 46-51).

16. Regarding claim 28, Rochkind taught a method of processing an information signal containing content presented in accordance with at least one modality (abstract), the method comprising the steps of:

obtaining the information signal, wherein the information signal represents speech obtained in accordance with one of a voice message system and a real-time phone conversion (column 3, lines 55-63);

marking at least a portion of the information signal in response to a user input (column 5, lines 12-13, column 6, lines 48-54);

performing content detection on the information signal to detect whether the marked portion of the information signal includes desired content presented in accordance with the at least one modality (column 3, lines 64-67; column 4, lines 1-6); and

at least one of storing and utilizing the desired content in a subsequent application when detected in the information signal (column 4, lines 46-51).

17. The language of claims 45, 48 is substantially the same as previously rejected claims 1, 12, above. Therefore, claims 45, 48 are rejected on the same rationale as previously rejected claims 1 and 12, above.

Claim Rejections - 35 USC § 103

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

19. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

20. Claims 30-32 and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maudlin et al., USPN 5,664,227 (hereafter referred to as Maudlin) in view of .

21. Regarding claim 30, Maudlin taught a method of processing an information signal containing content presented in accordance with at least two modalities, the method comprising the steps of:

obtaining the information signal (column 4, lines 35-38);

separating the information signal into a first signal including information in one of the two modalities and a second signal including information in the other of the two modalities (column 4, lines 35-38);

performing content detection on the first signal to detect whether the first signal includes particular content presented in accordance with the one modality (column 5, lines 17-22);

performing content detection on the second signal to detect whether the second signal includes particular content presented in accordance with the other modality (column 7, lines 24-36);

combining the results associated with the content detection steps (column 8, lines 32-34). Maudlin does not specifically teach automatically generating a control signal without a need for a selective input by a user contemporaneous with the detection of the content. However, Rochkind taught automatically generating a control signal as a direction result of detection of the particular content without a need for selective input by a user contemporaneous with the detection of the content, for use in automatically controlling at least one of a rendering property of the particular content and automatic implementation of a specific action relating to the particular detected content (column 4, lines 32-45). It would have been to one of ordinary skill in the art at the time the invention was made that incorporating Rochkind's automatically generating a control signal in Maudlin's video skimming system would have improved system

intelligibility. The motivation would have been to ensure the user could understand the information being skimmed.

22. Regarding dependent claims 3-4, 31, Mauldin taught the two modalities are audio and video (column 4, lines 35-38).

23. Regarding dependent claim 32, Mauldin taught the content detection step performed on the video signal is optical character recognition (column 5, lines 26-30). and the content detection step performed on the audio signal is speech recognition (column 7, lines 58-65).

24. The language of claim 50 is substantially the same as previously rejected claims 30-32. Therefore, Claim 50 is rejected on the same rationale as previously rejected claims 30-32.

25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrice Winder whose telephone number is 571-272-3935. The examiner can normally be reached on Monday-Friday, 10:30 am-7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on 571-272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patrice Winder
Primary Examiner
Art Unit 2145

December 5, 2005